

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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DAVID WHITE

Plaintiff,

**STIPULATION OF  
DISCONTINUANCE**

vs.

COUNTY OF ERIE,  
ERIE COUNTY SHERIFF JOHN GARCIA,  
Individually and in his official capacity,  
ERIE COUNTY SHERIFF'S DEPUTY  
CHANDLER, Individually and in his official capacity,  
ERIE COUNTY SHERIFF'S SERGEANT  
LEWANDOWSKI, Individually and in his official capacity

Civil No. 1:23-CV-00932

Defendants.

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Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), it is stipulated by all parties who have appeared in this matter that the forgoing action is hereby dismissed with prejudice. Each party shall pay their own costs.

Dated: Buffalo, New York  
January 29, 2024

**PENBERTHY LAW GROUP, LLP**

**JEREMY TOTH**

/s/ Brittany L. Penberthy  
Counsel for Plaintiff

/s/Eric Marriott  
Eric W. Marriott, Esq.  
Counsel for Defendants

SO ORDERED

Justice Presiding

Hon. Fred D. Garcia, Jr.  
U.S. District Judge